



RCE 2674

PTO/SB/30 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

|                               |                    |
|-------------------------------|--------------------|
| <i>Application Number</i>     | 09/769,451         |
| <i>Filing Date</i>            | January 26, 2001   |
| <i>First Named Inventor</i>   | MASANORI WAKAI     |
| <i>Group Art Unit</i>         | 2674               |
| <i>Examiner Name</i>          | Jennifer T. Nguyen |
| <i>Attorney Docket Number</i> | 03560.002720.      |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

|   |
|---|
| 1. <b>Submission required under 37 C.F.R. § 1.114</b>   |
| a. <input type="checkbox"/> Previously submitted  |
| i. <input type="checkbox"/> Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____<br>(Any unentered amendment(s) referred to above will be entered).  |
| ii. <input type="checkbox"/> Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____  |
| iii. <input type="checkbox"/> Other _____   |
| b. <input checked="" type="checkbox"/> Enclosed   |
| i. <input type="checkbox"/> Amendment/Reply   |
| ii. <input type="checkbox"/> Affidavit(s)/Declaration(s)  |
| iii. <input type="checkbox"/> Information Disclosure Statement (IDS)  |
| iv. <input checked="" type="checkbox"/> Other Preliminary Amendment And Request For Interview   |
| 2. <b>Miscellaneous</b>   |
| a. <input type="checkbox"/> Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required) |
| b. <input type="checkbox"/> Other _____   |
| 3. <b>Fees</b>  |
| The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.   |
| a. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any deficiencies in the following fees, or credit any overpayments, to Deposit Account No. 06-1205   |
| i. <input checked="" type="checkbox"/> RCE fee required under 37 C.F.R. § 1.17(e)   |
| ii. <input type="checkbox"/> Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)  |
| iii. <input type="checkbox"/> Other _____   |
| b. <input checked="" type="checkbox"/> A check in the amount of \$ 790.00 is enclosed   |
| c. <input type="checkbox"/> Payment by credit card (Form PTO-2038 enclosed)   |

#### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

|                   |                         |                                   |        |
|-------------------|-------------------------|-----------------------------------|--------|
| Name (Print/Type) | Frank L. Cire           | Registration No. (Attorney/Agent) | 42,419 |
| Signature         | [Handwritten Signature] |                                   |        |
| Date              | December 2, 2005        |                                   |        |

#### CERTIFICATE OF MAILING OR TRANSMISSION

|  |                                |      |                  |
|--|--------------------------------|------|------------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on: December 2, 2005 |                                |      |                  |
| Name (Print/Type)  | Frank L. Cire, Reg. No. 42,419 | Date | December 2, 2005 |
| Signature  | [Handwritten Signature]        |      |                  |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Director of the U.S.P.T.O., P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES and Completed Forms to the following address: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

12/07/2005 DEMMANU1 00000008 09769451

01 FC:1801

790.00 0P